

**DUXBURY HISTORICAL COMMISSION**  
**Minutes: January 13, 2016**

**APPROVED**  
**FEBRUARY 3, 2016**

Present: R. Tag Carpenter, Vice-Chair, David Amory, Mark Barry, and Arthur Evans, constituting a quorum. Robert C. (Terry) Vose and Nicole Walters were absent.

*Note: the numbering below is chronological and may not correspond to agenda item numbering*

Mr. Carpenter called the meeting to order at 7:00 PM

1. **Open Forum.** No discussion
2. **Minutes.** Minutes of the January 6, 2016 meeting were unanimously approved as written.

3. **Public Hearing on 326 Powder Point Ave. - ca. 1918. Complete Demolition.**  
Approximately twenty-five people were in attendance including three persons representing the new owners of the property: Sherman Starr, Trustee of the Ardea Realty Trust, Matt Walsh, attorney, and Peter Smith of Smith & Campbell, architects. The identity of the new owners was not revealed. Concerns and questions included but were not limited to the following:

- Why demolish and rebuild? (D. Amory)
- An abutter thought the house and boathouse were "beautiful," and encouraged a demolition delay so the new owners would have to time think about their decision and discuss the property with their future neighbors. This same person said that the previous owners did not want to tear the house down, but neither did they want to continue with the cost of its upkeep. They sought to sell the property to a single family that would keep the property intact.
- A person who identified himself as an architectural historian said the house is a significant building, and allowed that significant buildings should be preserved.
- Another asked if people move to Duxbury for the charm of its buildings, among other things, why do they then want to tear down the houses they buy? She described the house as a "show-stopper," and implored the representatives of the new owner to talk to their client again about preserving it, adding that the issue at hand was not salvage, but preservation and restoration.
- An email from Kay Foster, co-editor of the *Duxbury Beach Book*, was read to the audience. Ms. Foster quoted from the dedication of the book to Frederick S. Pratt, who built the house at 326 Powder Point Ave., that notes he was responsible for forming the coalition of private citizens that purchased Duxbury beach in 1919 to protect it for the Town.
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- A question about whether the buyers had had a home inspection performed and whether there were any serious problems with the house.

In reply to Mr. Amory, Mr. Smith replied that as Chair of the Local District Historic Committee he wore two hats and was in a difficult position. He said he had attempted to encourage the owners to consider renovation but they were firm in their desire to have a new house. The present house has no basement and they want one; the room layout does not meet their lifestyle; the interior is not pristine and described instead as "shabby genteel." He noted that an attempt would be made to salvage as much as possible from the teardown: shutters, paneling, stairs, mantels, tubs, sinks, roof rafters, porch columns and other items would all be salvageable. A person in the audience mentioned at this point that the discussion was not about salvage but about renovation/restoration.

Mr. Walsh allowed that new owners had no intention to subdivide the property. He went on to refute an article in the January 6 issue of the *Duxbury Clipper* that claimed he felt his client was being turned into a "public enemy" before he even built his house, and noted that in hiring Mr. Smith's firm, the client had sought an experienced architect who has designed or worked on numerous homes in Duxbury.

Messrs. Starr, Walsh, and Smith said the client had visited the site many times, is considering converting the stable/carriage house to a pool house, intends to keep the boathouse intact, plans to build on essentially the same footprint as the present house and in a style consistent with what was referred to as "New England style." Mr. Smith reiterated that he saw "no chance" of changing his client's mind about demolition.

Members of the audience were not convinced of the need for demolition and expressed concern that the decision to tear the home down was made too hastily and without consultation with the neighboring community. They also repeated their concern and annoyance that the identity of the new owner was being kept secret.

Mr. Smith mentioned that he has the original architectural drawings of the house.

Throughout the hearing all who spoke were against demolition; no one spoke in favor of it.

Mr. Carpenter closed the open hearing part of the meeting by reminding everyone that the Commission must wait at least ten business days before it can make a final decision on whether or not to impose a demolition delay. This prompted Mr. Walsh to note the considerable amount of time required by the application process, all to the disadvantage of his client. He was reminded that the Commission had scheduled two special meetings to move the process along as quickly as possible, and that a proposed revision to the bylaw that addresses scheduling issues was to be an article at this year's Town meeting.

#### **4. Demolition Applications.**

a. 879 Tremont Street. ca. 1900. *Partial Demolition/Addition*. The application lacked the required letter of intent, and was incomplete. The question raised at the Jan. 6 meeting about whether or not this project needs to be considered by the DHC has yet to be answered. Mr. Barry offered to reach out to the owner's representative to discuss the extent of the proposed demolition to help determine whether the project should be reviewed by the Commission.

**5. Report on Jan. 11, 2016 Planning Board Hearing on proposed Demolition Delay Bylaw.** The PB had several concerns about the revised bylaw as written. Use of the term "Demolition Certification" was inconsistent; definition of "Substantial Demolition" was questioned, as was the wording of the first paragraph in 609.3.2 "Initial Determination" and 609.6 "Transfer of Ownership." Because the present wording in the article submitted for inclusion in the Town Warrant must stand as is, it can only be changed by amending the article. It was moved to allow Mr. Carpenter to make five (5) or six (6) edits to the article that would address the comments of the PB, a motion that was unanimously approved. The PB's public hearing on the proposed new bylaw will continue at their Jan. 25, 2016 meeting.

**6. Public Outreach.** Strategies for presenting the proposed new Demolition Delay Bylaw at Town meeting were discussed. Initial thoughts included a sending a questionnaire to all abutters of properties affected by the bylaw in the last year to get their reaction to the imposition of a demolition delay; a press release; a handout at the Town meeting. The topic will be considered further at the next meeting.

**7. At Risk Properties.** No discussion.

**8. Local Historic District Commission** - no discussion.

**9. Duxbury Online Historic Archives** - no discussion

**10. New Business.** The option of meeting twice a month rather than only on the third Wednesday of every month to meet the criticism that too much time is involved in applying the Demolition Delay Bylaw was generally agreed on. The next meeting will be Wednesday, February 3, 2016.

It was moved and unanimously agreed to adjourn the meeting at 9:10 PM.

Respectfully submitted,

Arthur B. Evans, Clerk

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